

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

ALEXANDER REENTS, on behalf of himself and others similarly situated,	:	CIVIL ACTION FILE NO. 23-cv-14917
	:	
Plaintiff,	:	Honorable Martha M. Pacold
	:	
v.	:	
	:	
PUBLIC WIRELESS LLC	:	
	:	
Defendant.	:	

JOINT MOTION TO EXTEND FACT DISCOVERY DEADLINE

COMES NOW Plaintiff Alexander Reents, on behalf of himself and others similarly situated, and Defendant Public Wireless LLC and, pursuant to Rules 6 and 16(b)(4) of the Federal Rules of Civil Procedure, jointly move the Court for a 60 day extension of the fact discovery deadline through and including August 27, 2024. In support of this motion, the parties state:

1. On October 14, 2023, Plaintiff filed this putative class action seeking to recover damages for alleged violations of the Telephone Consumer Protection Act (“TCPA”).
2. On or about December 13, 2023, the parties filed their joint status report (Doc. 11), which proposed a fact discovery deadline of June 28, 2024.
3. The Court adopted the parties’ recommendation and set a fact discovery deadline of June 28, 2024. (Doc. 12).
4. The parties have worked diligently on fact discovery but require additional time both for the preparation of this case and to accommodate a mediation with the Hon. David E. Jones (retired) scheduled for July 1, 2024.

5. While Plaintiff served his written discovery early, and Defendant's discovery followed, obtaining complete written discovery was delayed beyond what the parties contemplated primarily because Defendant is not in privity with the non-party call center and non-party data vendor who undertook key activities at issue. Further complicating these matters, the data vendor and call center are located in India and underlying interactions with the data vendor and call center were conducted by Defendant's marketing vendor, another non-party.

6. While the parties have been generally successful in working with the non-parties and are close to having completed written discovery, doing so required multiple follow-ups and communications with the non-parties extending beyond what the parties contemplated in setting the deadline and earlier status reports.

7. Because the parties need full document production to effectively identify and depose fact witnesses, the parties have not completed fact witness depositions. However, party depositions are currently scheduled for the week of July 15, 2024, with non-party depositions being discussed and anticipated to be scheduled later in July and August. These dates are the earliest available dates due to preexisting travel and business schedules of counsel and the parties.

8. In addition, in late April, the Affordable Connectivity Program, which forms the core of Defendant's business and which was a subject of the calls at issue, ran out of funding and has yet to be renewed by Congress.

9. Given this change in circumstance, and the fact that the parties do have a good amount of written discovery completed and available to assist them in evaluating the case, the parties agreed to participate (with a non-party vendor) in mediation with Judge Jones on July 1, 2024.

10. The parties would also benefit from conducting any additional discovery that may be needed to after mediation to conserve litigation costs that could be applied to resolving the matter at mediation.

11. This is the parties' first request for an extension of the fact discovery deadline.

12. This motion is being made jointly by both Plaintiff and Defendant and the proposed 60 day extension of the fact discovery deadline will not unduly prejudice any party.

WHEREFORE, Plaintiff Alexander Reents and Defendant Public Wireless LLC pray that this Court GRANT their motion and extend the fact discovery cutoff in this matter to August 27, 2024, and for such other and further relief as is just and proper.

PLAINTIFF,
By his attorneys

/s/ Anthony I. Paronich (w/consent)
Anthony I. Paronich
Paronich Law, P.C.
350 Lincoln Street, Suite 2400
Hingham, MA 02043
(508) 221-1510
anthony@paronichlaw.com

DEFENDANT,
By its attorneys:

/s/ Laura E. Schrick
Laura E. Schrick
Mathis, Marifian & Richter, Ltd.
23 Public Square, Suite 300
Belleville, IL 62220
(618) 234-9800
lschrick@mmrltd.com

Dated: May 23, 2024